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# Braintree Police chief retires amid evidence room scandal

By Evan Allen and Shelley Murphy | GLOBE STAFF SEPTEMBER 22, 2016

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Braintree Police Chief Russell Jenkins, whose department is under investigation for an evidence room scandal that could compromise hundreds of drug cases, will retire early next month at the urging of the town's mayor, officials said Thursday.

"Clearly, this is not the way I wanted to end my career, but the mayor wants new leadership and I serve at his pleasure," Jenkins wrote in an e-mail sent to the police department late Wednesday night.

Jenkins' leadership has come under question after an independent audit, made public last week, found that more than \$400,000 in cash, between 60 and 70 guns, and thousands of drug samples had gone missing from the evidence room since 1999.

Evidence Officer Susan Zopatti fatally shot herself in May, a week after the auditor met with her for the first time. When the auditor examined the evidence room, he found bags of drugs and cash torn open, with large amounts missing. Two guns were recovered from Zopatti's home.



GARY HIGGINS/THE PATRIOT LEDGER

**Braintree Police Chief Russell Jenkins.**

The attorney general's office is investigating. Police have recovered most of the guns and about \$140,000 of the cash.

## **Drugs, guns, and \$400,000 missing from Braintree police**

An audit found that heat-sealed drug bags were cut, bags of cash were sliced open, and at least 60 guns had disappeared.

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In a statement, Braintree Mayor Joseph C. Sullivan said he had accepted Jenkins's retirement. He did not discuss the circumstances of his departure.

"I appreciate and commend his nearly 34 years in the Braintree Police Department and the community of Braintree," Sullivan said. "I wish him and his family well."

Through a spokesman, Sullivan declined to comment further.

In a statement, Norfolk District Attorney Michael W. Morrissey said the problems uncovered by the audit "mandate changes."

"Today's announcement is an important step forward," he wrote. "The Norfolk DA's Office will work with new leadership as we continue to assure the rights of defendants."

In his announcement, Jenkins said he would have preferred to remain in the department to oversee the implementation of new policies for the evidence room, but intended to focus on the positive parts of his career and “block out” the negatives.

“I have said before that haters will hate,” he said. “But by and large we have the support of our community. They continue to believe in us and depend on us.”

So far, 32 drug cases have been dismissed because of tainted evidence, according to Morrissey’s office. But the final tally will likely be much higher.

“I think we have to wait for a real complete investigation to determine what was going on there to determine what other kinds of evidence could have been tainted,” said Nancy Bennett, deputy chief counsel at the Committee for Public Counsel Services, the state’s public defender agency. “There’s so much missing. If you look at the audit, thousands of pieces of evidence.”

While the audit suggests that much of the missing criminal evidence may have been disposed of in undocumented “purges” conducted in 2009 and 2012, Bennett noted that there is no proof either way. Zopatti took over in the evidence room in 2013, and evidence continued to vanish.

Bennett said it “remains to be seen” whether every case that involved the evidence room is tainted.

“I think in a way it’s good that this problem has come to light because what was worse was the people who believed that they were getting justice and their cases were being fairly handled,” she said.

Bruce Gordon, a retired State Police major who runs Narcotics Audit Solutions and conducted the Braintree audit, said most departments have never had their evidence rooms assessed.

“It’s a ticking time bomb,” he said. “You can’t bury your head in the sand. Either

Gordon credited Braintree's mayor and police chief and Morrissey for reacting swiftly after receiving the audit results.

"Departments should be paying attention to their evidence," Gordon said. "That's what convicts people, takes their liberty away, and frees them. It has to be a priority, done by people willing to do the job and given the time to do it."

"There are a lot of hard-working and honest cops who risk their lives to make arrests," Gordon added. "It's a tragedy these cases are going to be thrown out."

Town Councilor Charles C. Kokoros, who heads Braintree's public safety committee, praised Jenkins for his four-year tenure as chief.

"He's been a great community police chief, he's been a great police officer over the years," he said. "He's a great person and a family guy and a great part of the community, and I wish him a great retirement."

Councilor John C. Mullaney defended Jenkins, saying he did not believe his abrupt departure was justified.

"Chief Jenkins has a long history in the department; he was an exceptional person. I do not think that the condition of that department was his fault alone," he said.

It was Jenkins who requested the audit, Mullaney pointed out, and he moved to correct the problem. But Mullaney acknowledged that Jenkins should have noticed something was amiss sooner.

"I have always believed that when a mistake is made, the person who can best correct the mistake is the person who is working there, not by bringing in a new person," he said.

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